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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,798	01/12/2001	Marco Scibora	13686-106	3374

32300 7590 06/03/2004
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EXAMINER

NAJJAR, SALEH

ART UNIT PAPER NUMBER

2157

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/759,798

Applicant(s)

SCIBORA, MARCO

Examiner

Saleh Najjar

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
5) ☐ Claim(s) ____ is/are allowed.
6) ☒ Claim(s) 1-31 is/are rejected.
7) ☐ Claim(s) ____ is/are objected to.
8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/7 & 11/14, 2001.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: ____

1. This action is responsive to the application filed on January 12, 2001. Claims 1-31 are pending examination. Claims 1-31 represent a method directed toward compression and remote storage for data, music and video.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-31 are rejected 35 U.S.C. 103(a) as being unpatentable over Compton et al., U.S. Patent No. 6,115,035 further in view of Tso et al., U.S. Patent No. 6,185,625.

Compton teaches the invention substantially as claimed including a system and method for automated audio/video archive and distribution system (see abstract).

As to claim 1, Compton teaches a method for compressing digital content from a source, using a compression scheme selected from a group of available compression schemes, storing the compressed content at a central location, and retrieving the compressed content at a remote location, comprising the steps of:

b) at a remote location, reading the source and prompting a user for tracks to be compressed, the user then identifying selected tracks (see figs. 1-7; col. 3-6, Compton discloses that a user selects the tracks to be compressed);

c) at a remote location, prompting a user for a compression scheme to be used to compress the selected tracks, the user then identifying a selected compression scheme from a group of possible compression schemes (see col. 3, lines 45-65, Compton discloses that a GUI presents the user with a prompt for choosing the compression method);

d) at a remote location compressing the selected tracks using the selected compression scheme (see col. 3-4);

e) transmitting each selected track after compression through a communications link to a central location (see col. 4-6);

f) storing each selected track in a digital content database at a central location (see col. 4-6); and

g) at a remote location, retrieving tracks from the digital content database through a communications link to the central location (see col. 4-6, Compton discloses that the user can manage the archive at the central server through a browser interface at a remote client).

Compton fails to teach the limitation of prompting a user for and validating a user name and password.

However, Tso teaches a scaling proxy server for allowing the client to establish an encoding preference (see abstract). Tso teaches prompting a user for and validating a user name and password (see col. 5-6, Tso discloses that a user is authenticated with the ISP).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Compton in view of Tso so that a user is prompted for user name and password. One would be motivated to do so to prevent unauthorized users from accessing the system.

As to claim 2, Compton teaches the method of claim 1, further comprising the step of identifying the source and validating the source's identity against an authorization database at the central location (see col. 3-6).

As to claim 3, Compton teaches the method of claim 1, further comprising the step of prompting the user for the quality of compression to be used with the selected compression scheme (see col. 3, lines 45-65, Compton discloses that a GUI presents the user with a prompt for choosing the compression method);

As to claim 4, Compton teaches the method of claim, wherein the digital content is music (see col. 3-6).

As to claim 5, Compton teaches the method of claim 1, wherein the digital content is video (see col. 3-6).

As to claim 6, Compton teaches the method of claim 1, wherein the source is a compact disc (see col. 3-5).

As to claim 7, Compton teaches the method of claim 1, wherein the source is a digital video disc (see col. 3-5).

As to claim 8, Compton teaches the method of claim 1, wherein the communications link is the Internet (see col. 3-5).

As to claim 9, Compton teaches the method of claim 1, wherein the step of retrieving the digital content further comprises a step of streaming the digital content for replay to a remote location (see col. 3-5).

As to claim 10, Compton teaches the method of claim 1, wherein the step of retrieving the digital content further comprises a step of storing the retrieved digital content at the remote location (see col. 3-5).

As to claim 11, Compton teaches the method of claim 1, further comprising a step of managing the digital content database from the remote location (see col. 4-6).

Claims 12-31 do not teach or define any new limitations above claims 1-11 and therefore are rejected for similar reasons.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.

A handwritten signature in black ink, appearing to read 'Saleh Najjar', with a stylized, cursive script.

Saleh Najjar

Primary Examiner / Art Unit 2157